

RECEIVED AND FILED  
WITH THE  
N.J. BOARD OF DENTISTRY  
ON 10-23-00 ca

JOHN J. FARMER, JR.  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law, 5th Floor  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101  
Attorney for the State Board of Dentistry

CERTIFIED TRUE COPY

By: Patricia DeCotiis  
Deputy Attorney General  
(973) 648-3696

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY

IN THE MATTER OF	:	
	:	
	:	Administrative Action
JAMES GEDULDIG, D.D.S.	:	
License No. DI 13709	:	CONSENT ORDER
	:	
LICENSED TO PRACTICE DENTISTRY	:	
IN THE STATE OF NEW JERSEY	:	
	:	

This matter was opened to the New Jersey Board of Dentistry ("Board") upon receipt of a patient complaint from G.S. alleging that the Diamond Spring Dental Associates, P.A., failed to conform to standard dental practice in the State of New Jersey. Specifically, G.S. alleged that Diamond Spring Dental Associates, P.A. submitted a claim to his dental insurance plan for work not performed and improperly charged patient a separate fee for a periodontal evaluation. The Board has determined that Dr. James Geduldig ("respondent") was the treating dentist for this patient. Respondent is also one of the principal owners of Diamond Spring Dental Associates, P.A.

On March 15, 2000, respondent appeared with counsel, John Paul Dizzia, Esq., at an investigative inquiry into the matter held by the Board.

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry and the patient's complaint and records, it appears to the Board that respondent failed to maintain a proper patient record for G.S. as required by N.J.A.C. 13:30-8.7(a). Specifically, the patient's treatment record indicates a "fine scaling" was performed on March 8, 1997 when in fact, according to respondent's testimony at the investigative inquiry, the treatment rendered was a scaling and root planing. Additionally, the record did not indicate how many quadrants of scaling and root planing were actually performed, which quadrants were completed on the date of treatment, and whether anesthetic was administered prior to treatment.

These facts form the basis for disciplinary action pursuant to N.J.S.A. 45:1-21(h). It appearing that respondent desires to resolve this matter and for good cause shown:

IT IS ON THIS 29<sup>TH</sup> DAY OF September 2000,

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby assessed a civil penalty in the total amount of \$500.00 for the failure to keep adequate patient records on G.S. Payment of the civil penalty of \$500 shall be made by certified check or money order, payable to the State of New Jersey and forwarded to Kevin B. Earle, Executive Director, Board

of Dentistry, P.O. Box 45005, Sixth Floor, 124 Halsey Street, Newark, New Jersey 07101 contemporaneously with the signing of this Consent Order.

2. Respondent shall pay costs of the investigation in this matter in the amount of \$113.38. Payment for costs shall be made by certified check or money order payable to the State of New Jersey and submitted to Kevin B. Earle, Executive Director of the Board, at the address above, contemporaneously with the signing of this Consent Order.

NEW JERSEY STATE BOARD OF DENTISTRY

By: Barbara Ann Rich, DDS  
Barbara Rich, D.D.S.  
President

I have read and understand  
this Consent Order and agree  
to be bound by its terms.  
Consent is hereby given to  
the Board to enter this Order.

James Geduldig, D.D.S.  
James Geduldig, D.D.S.

9/29/00  
Date